

Business & Professions (B&P) Code §1635.5

This is the full text of the law. *Authorization to issue licenses without examination to persons who are currently licensed to practice dentistry in another state.*

Division 2, Chapter 4, Article 2, Admission and Practice

1635.5. (Operative July 1, 2002) Granting a license to out-of-state dentists.

(a) Notwithstanding Section 1634, the board may grant a license to practice dentistry to an applicant who has not taken an examination before the board, if the applicant submits all of the following to the board:

- (1) A completed application form and all fees required by the board.
- (2) Proof of a current license issued by another state to practice dentistry that is not revoked or suspended or otherwise restricted.
- (3) Proof that the applicant has either been in active clinical practice or has been a full-time faculty member in an accredited dental education program and in active clinical practice for a total of at least 5,000 hours in five of the seven consecutive years immediately preceding the date of his or her application under this section. The clinical practice requirement shall be deemed met if documentation of any of the following is submitted:

(A) The applicant may receive credit for two of the five years of clinical practice by demonstrating completion of a residency training program accredited by the American Dental Association Commission on Dental Accreditation, including, but not limited to, a general practice residency, an advanced education in general dentistry program, or a training program in a specialty recognized by the American Dental Association.

(B) If an applicant provides proof of at least two years of clinical practice or receives two years of credit as defined in subparagraph (A), he or she may commit to completing the remainder of the five-year requirement by filing with the board a copy of a pending contract to practice dentistry full time in a primary care clinic licensed under subdivision (a) of Section 1204 of the Health and Safety Code or in a primary care clinic exempt from licensure pursuant to subdivision (c) of Section 1206 of the Health and Safety Code, or in a clinic owned or operated by a public hospital or health system, or a clinic owned and operated by a hospital that maintains the primary contract with a county government to fill the county's role under Section 17000 of the Welfare and Institutions Code. The board may periodically request verification of compliance with these requirements, and may revoke the license upon a finding that the employment requirement, or any other requirement of this subparagraph, has not been met. The Board may, by regulation, define "full time" for the purposes of this paragraph.

(C) If an applicant provides proof of at least two years of clinical practice or receives two years of credit as defined in subparagraph (A), he or she may commit to completing the remainder of the five-year requirement by filing with the board a copy of a pending contract to teach or practice dentistry full time in an accredited dental education program as approved by the Dental Board of California. The board may periodically request verification of compliance with these requirements, and may revoke the license upon a finding that the employment requirement, or any other requirement of this subparagraph has not been met.

- (4) Proof that the applicant has not been subject to disciplinary action by any state in which he or she is or has been previously licensed to practice dentistry. If the applicant has been subject to disciplinary action, the board shall review that action to determine if it presents sufficient evidence of a violation of Article 4 (commencing with Section 1670) to warrant the submission of additional information from the applicant or the denial of the application for licensure.
- (5) A signed release allowing the disclosure of information from the National Practitioner Data Bank and the verification of registration status with the federal Drug Enforcement Administration. The board shall review this information to determine if it presents sufficient evidence of a violation of Article 4 (commencing with Section 1670) to warrant the submission of additional information from the applicant or the denial of the application for licensure.
- (6) Proof that the applicant has not failed the examination for licensure to practice dentistry under this chapter within five years prior to the date of his or her application for a license under this section.

- (7) An acknowledgement by the applicant executed under penalty of perjury and automatic forfeiture of license, of the following:
 - (A) The information provided by the applicant to the board is true and correct, to the best of his or her knowledge and belief.
 - (B) That the applicant has not been convicted of an offense involving conduct that would violate Section 810.
 - (8) Documentation of 50 units of continuing education completed within two years of the date of his or her application under this section. The continuing education shall include the mandatory coursework prescribed by the board pursuant to subdivision (b) of Section 1645.
 - (9) Any other information as specified by the board to the extent it is required of applicants for licensure by examination under this article.
- (b) The board shall provide in the application packet to each out-of-state dentist pursuant to this section the following information:
- (1) The location of dental manpower shortage areas that exist in the state.
 - (2) Those not-for-profit clinics and public hospitals seeking to contract with licensees for dental services.
- (c)(1) The board shall review the impact of this section on the availability of dentists in California and report to the appropriate policy and fiscal committees of the Legislature by January 1, 2005. The report shall include a separate section providing data specific to those dentists who intend to fulfill the alternative clinical practice requirements of subparagraph (B) of paragraph (3) of subdivision (a). The report shall include, but not be limited to, all of the following:
- (A) The total number of applicants from other states who have sought licensure.
 - (B) The number of dentists from other states licensed pursuant to this section, as well as the number of licenses not granted and the reasons why each license was not granted.
 - (C) The location of the practice of dentists licensed pursuant to this section.
 - (D) The number of dentists licensed pursuant to this section who establish a practice in a rural area or in an area designated as having a shortage of practicing dentists or no dentists at all.
 - (E) The length of time dentists licensed pursuant to this section maintained their practice in the reported location. This information shall be reported separately for dentists described in subparagraphs (C) and (D).
- (2) In identifying a dentist's location of practice, the board shall use Medical Service Study Areas or other appropriate geographic descriptions for regions of the state.
 - (3) If appropriate, the board may report the information required by paragraph (1) separately for primary care dentists and specialists.
- (d) This section shall become operative on July 1, 2002.
Added Stats 2001 ch 507 § 2 (AB 1428), operative July 1, 2002.